

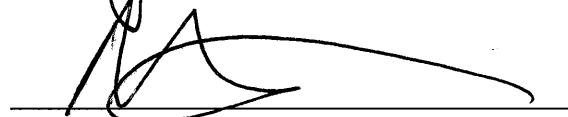
**ORDER ADOPTING LOCAL CRIMINAL RULES OF PRACTICE  
FOR THE CIRCUIT AND SUPERIOR COURTS  
6<sup>TH</sup> JUDICIAL CIRCUIT, SCOTT COUNTY, INDIANA**

Pursuant to Trial Rule 81 of the Indiana Rules of Trial Procedure it is hereby ORDERED that the following Local Criminal Rule of Practice in the Circuit and Superior Courts of the 6<sup>th</sup> Judicial Circuit, Scott County, Indiana, numbered LR72-CR2.2-1 be and the same is hereby adopted, effective 7-10-06.

SO ORDERED THIS 10 day of July, 2006.



ROGER L. DUVALL, JUDGE  
SCOTT CIRCUIT COURT



NICHOLAS L. SOUTH, JUDGE  
SCOTT SUPERIOR COURT

**LOCAL RULE NO. LR72-CR2.2-1**  
**ASSIGNMENT OF CRIMINAL CASES**

The Courts of Scott County, Indiana, adopt the following rules for the assignment of criminal cases and the selection of special judges in criminal cases:

(A) All cases wherein the most serious charge is a Class C Felony or above shall be filed in Circuit Court.

(B) All cases wherein a person is charged under Indiana Code 35-46-1 et. seq., offenses against the Family, or Indiana Code 20-8.1-3, Compulsory School Attendance, shall be filed in Circuit Court.

(C) All cases wherein a person is charged with a felony and that person is currently on probation under a conviction in Circuit Court, or, that person has a pending unresolved case in Circuit Court shall be filed in Circuit Court.

(D) All cases wherein the factual basis for the criminal charges, also, is the factual basis in the Circuit Court under Indiana Code 31-34 et. seq., Child In Need of Services, shall be filed in Circuit Court.

(E) All juvenile delinquency cases shall be filed in Circuit Court and if there is a waiver from juvenile court into adult court, the case shall be filed in Circuit Court.

(F) All other criminal cases and infractions shall be filed in Superior Court.

(G) Any cases which may be joined by statute shall be treated as one case for purposes of determining which court shall be selected. The highest charge filed shall determine selection.

(H) When there is a recusal by the sitting Judge or when a motion for change of Judge has been granted, the Clerk shall assign a judge randomly from the following list:

- |    |                |   |                          |
|----|----------------|---|--------------------------|
| 1. | Jon W. Webster | - | Jennings Circuit Court   |
| 2. | Ted Todd       | - | Jefferson Circuit Court  |
| 3. | Fred Hoying    | - | Jefferson Superior Court |

4. Robert L. Bennett - Washington Circuit Court
5. Frank Newkirk - Washington Superior Court
6. Bruce Markel - Jackson Superior Court
7. James Funke, Jr. - Jennings Superior Court


(I) In the event a case is dismissed and refilled, the Judge last having jurisdiction in the dismissed case shall be the judge in the new case.

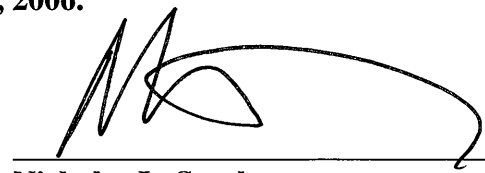
(J) Criminal cases for which the factual basis to support the filing of a criminal charge occurred before December 31, 2004 shall be filed in the Scott Superior Court.

(K) Criminal cases in the Scott Circuit Court for which there was a disposition prior to January 1, 2005 and for which there is filed a motion, pleading or notice of any nature, other than a petition for post conviction relief or a probation revocation proceeding, shall, if accepted, be transferred to or addressed by the Scott Superior Court or referred to a Senior Judge for further disposition. A petition for post conviction relief or a probation revocation proceeding shall, if accepted, be transferred to the Scott Superior Court or assigned a new Judge pursuant to Section H of this Rule.

This rule shall be effective as soon as approved by the Indiana Supreme Court pursuant to Criminal Rule 2.2.

Approved this 10 day of July, 2006.

  
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Roger L. Duvall  
Judge, Scott Circuit Court

  
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Nicholas L. South  
Judge, Scott Superior Court